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Plaintiff(s), pro se

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Trevor Reid,	Case No. CV-22-00068-PHX-SMB
Crystale Reason	
Plaintiffs	
v.	
U.S. Department of the Interior, et al	
Defendants	PLAINTIFFS' JOINT MOTION TO EXTEND TIME FOR SERVICE (SECOND REQUEST)

Plaintiffs request ten (10) additional days to effectuate service as to individual Defendants Doyle, Ballam and Sirk-Fear (the park ranger Defendants). Correspondingly, Plaintiffs request the consolidated deadline for all Defendants to answer be extended by 10 days.

Plaintiffs have ascertained via conference with counsel for substituted Defendant the United States of America (U.S.A) that the U.S.A. takes no position on this request for extension.

Plaintiffs previously requested one Extension of Time for Service (Doc. 10) of sixty (60) days and the Court granted thirty (30) days (Doc. 11). Service on the

official and agency Defendants was completed before the resulting deadline of May 13, 2022.

As Plaintiffs' primary aim in bringing this action is government accountability, they decided to focus their efforts on the claims against the official and agency Defendants. Thus, the May 13th deadline passed and Plaintiffs expected that the federal government Defendants would file timely responses and that if the park ranger Defendants failed to waive service¹, claims that depended upon that would be dismissed.

Sixty-three (63) days after the U.S. Attorney for Arizona had been served, substituted Defendant the U.S.A. contemporaneously filed its Notice Of Substitution (Doc. 16) and Motion To Consolidate And Extend The Responsive Pleading Deadline (First Request To Extend), (Doc. 17). Plaintiffs opposed neither the consolidation nor the extension. Plaintiffs voluntarily dismissed (Doc. 18) their *Bivens* claims and others against the park ranger Defendants in their individual capacities, with the exception of those claims for which the U.S.A. had been substituted.

Plaintiff did not dismiss the claims to avoid the requirements of service. On the contrary, it was to make clear — consistent with Plaintiffs' intention *at that time* to proceed against the agency and official Defendants only — that “all remaining identified Defendants have either been served per Fed. R. Civ. P. 4(i)(1),

¹ Plaintiffs have requested since April 19th, 2022 that individual Defendants Doyle, Ballam, and Sirk-Fear waive service pursuant to Fed. R. Civ. P. Rule 4(d). No waivers have been received so far.

(2) — i.e. by ‘[serving] the United States and also [sending] a copy of the summons and of the complaint by registered or certified mail to the agency, corporation, officer, or employee’ — or substituted by a Defendant who has been so served,” as Plaintiffs stated in their Response (Doc. 19, ¶ 6).

Plaintiffs neither requested nor expected that the time for service on individual Defendants would be extended beyond May 13th, 2022. Nevertheless, the Court in granting the request of the U.S.A did extend the deadline to August 5th, 2022 (Doc. 23). This prompted Plaintiffs to reevaluate their posture toward the park ranger Defendants.

Subsequently, Plaintiffs engaged private process servers to effect service on the individual Defendants. As the deadline approaches, Plaintiffs have been in contact with the professionals attempting to serve the Defendants. At the time of this filing, a server has indicated to Plaintiffs that Defendant Doyle has been served, and that the server is preparing, but has not yet filed, an affidavit. The servers have attempted to serve park rangers Ballam and Sirk-fear, but have so far been told only that the rangers are “not here” and “that nothing can be left for them.” The service efforts remain in progress, but likely cannot be completed by the present deadline in light of the behavior of the latter two rangers and those around them.

Accordingly, Plaintiffs request ten (10) additional days to effectuate service and that all Defendants have an additional ten (10) days to respond.

Respectfully submitted this 4th day of August, 2022.

s/Trevor Reid, *plaintiff pro se*

s/Crystale Reason, *plaintiff pro se*

CERTIFICATE OF SERVICE

I certify that on June 13th, 2022 in addition to filing the foregoing document via CM/ECF I mailed a copy via first class mail to each of the following parties:

United States of America
United States Department of the Interior
National Park Service:

U.S. Attorney, ATTN: Noel Capps
2 Renaissance Square
40 N Central Ave., Ste. 1800
Phoenix, AZ 85004-4408

Justin P. Doyle
David Ballam
Cynthia Sirk-Fear:

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Triangle, VA 22172

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s/Crystale Reason